

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director / (954) 797-1101
Prepared by: Todd Vargo, Planner I

SUBJECT: Resolution – Application of Flexibility
FX 2-1-03 Victoria Villas, 5151 SW 61 Avenue / Generally located on SW 61 Avenue, south of Griffin Road.

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE ALLOCATION OF BONUS SLEEPING ROOMS TO THE VICTORIA VILLAS PLAT; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The Broward County Land Use Plan granted 100 bonus sleeping rooms for Special Residential Facilities to the Town of Davie as one of several means of increasing density without amending the Broward County Land Use Plan. The Town of Davie has 100 bonus sleeping rooms remaining and Victoria Villas has applied to allocate 31 bonus sleeping rooms to the Victoria Villas plat, which staff is currently reviewing. Staff cannot move the plat forward without comments from the County and the County will neither review the plat nor provide comments without the allocation of the bonus sleeping rooms to increase the density of the plat.

The allocation of bonus sleeping rooms to the plat is necessary because the density desired by Victoria Villas is greater than the 1 dwelling unit/acre allowed by the Town of Davie Future Land Use Map. The allocation of the bonus sleeping rooms will allow the special residential facility to continue with its plans to expand the facility to a maximum of 80 residents, which was approved by Town Council on December 26, 2001 (V 9-1-01).

PREVIOUS ACTIONS: None

CONCURRENCES: P 12-1-02 Victoria Villas Plat

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Future Land Use Map, Subject Site, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ALLOCATION OF BONUS SLEEPING ROOMS TO THE VICTORIA VILLAS PLAT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Victoria Villas has applied to the Town of Davie to increase the density allowed on the Victoria Villas plat; and

WHEREAS, the Broward County Land Use Plan granted 100 bonus sleeping rooms to the Town of Davie; and

WHEREAS, the Town of Davie desires to allocate 31 of its 100 remaining bonus sleeping rooms to the Victoria Villas plat; and

WHEREAS, the proposed allocation is in conformance with the Town of Davie Comprehensive Plan and the Broward County Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the Town Council of the Town of Davie does hereby approve the allocation of 31 of the Town of Davie's 100 bonus sleeping rooms, as granted by the Broward County Land Use Plan to the property described and illustrated on Exhibit "A" attached hereto.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this resolution.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2003

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003

Application #: FX 2-1-03/Victoria Villas
Exhibit "A"

Revisions:
Original Report Date: 3/27/2003

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

<u>Owner:</u>	<u>Agent/Council:</u>
Name: Yadel Holding Company, Inc.	Name: Pillar Consultants, Inc.
Address: 5151 SW 61 Avenue	Address: 5400 South University Drive
City: Davie, FL 33328	City: Davie, FL 33328
Phone: (954) 791-8881	Phone: (954) 680-6533

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Approval of the resolution to allocate 31 bonus sleeping rooms to the Victoria Villas Plat.

Affected District: District 1

Address/Location: 5151 SW 61 Avenue/Generally between Griffin Road and Sheridan Street on the west side of SW 61 Avenue.

Future Land Use Plan Designation: Residential-1 (1 DU/ AC)

Existing Use: Special Residential Facility (currently 40 residents, approved for 80 residents)

Existing Zoning: CF (Community Facilities)

Proposed Use: Special Residential Facility (expanded to 80 residents)

Parcel Size: 9.644 acres (420,084 square feet)

Surrounding Existing Use:

North: Residential

South: Vacant

East: Vacant

West: Vacant

Surrounding Future Land Use Plan Designation:

North: Residential-2 (2 DU/AC)
South: Residential-2 (2 DU/AC)
East: Residential-1 (1 DU/AC)
West: Residential-5 (5 DU/AC)

Surrounding Zoning:

North: R-2, Low Density Dwelling District
South: R-2, Low Density Dwelling District
East: R-1, Estate Dwelling District and A-1, Agricultural District
West: RO, Residential/Office District and A-1, Agricultural District

ZONING HISTORY

Related Zoning History: None

Previous Requests on Same Property: On December 6, 1995 Town Council approved Variance 11-1-95 reducing the required separation from 2,500 feet to 980 feet from a similar establishment (Davie's Country Living) to the southwest. This action also placed a limit of forty (40) residents for Victoria Villas.

On December 26, 2001 Town Council approved Variance 9-1-01 to remove the condition placed by Variance 11-1-95 which limited the use of the facility to forty (40) people; to allow for eighty (80) residents.

APPLICATION DETAILS

The petitioner is requesting the allocation of 31 bonus sleeping rooms to increase the density of the parcel without amending the Broward County Land Use Plan. Broward County Ordinance 85-92 allocated 100 bonus sleeping rooms to the Town of Davie. These bonus sleeping rooms are permanently dedicated to Special Residential use to allow an increase of density.

The plat for Victoria Villas is currently being reviewed by staff. The plat note restriction limited the density of the plat to 40 rooms. Staff calculated the current maximum allowable density to be 9 rooms based on parcel size and the Town of Davie Future Land Use category for Victoria Villas. In order to achieve the desired density, Staff determined that bonus sleeping rooms would have to be applied to the plat.

In order to proceed through the platting process at Broward County, the Victoria Villas Plat would require additional density. Without increasing the density through the allocation of bonus sleeping rooms, the County would not prepare comments for the Victoria Villas plat. Town of Davie policy is to not proceed with a plat until County comments are received. Without the application of bonus sleeping rooms, the plat would never be approved by either Broward County or the Town of Davie.

APPLICABLE CODES AND ORDINANCES

Article 5 of the Broward County Land Use Plan Administrative Rules Document which provides special rules for density allocation for Special Residential Facilities.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies: The Special Residential Facilities section of the Future Land Use Plan: Plan Implementation Section of the Town of Davie Comprehensive Plan states that the Town may allow a maximum of 100 bonus sleeping rooms to be allocated to Special Residential Facilities.

The proposed allocation of 31 bonus sleeping rooms is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/ Findings of Fact

The proposed allocation of 31 bonus sleeping rooms is consistent with the Comprehensive Plan and Land Development Code as it relates to access, use, location and size.

Staff Recommendation

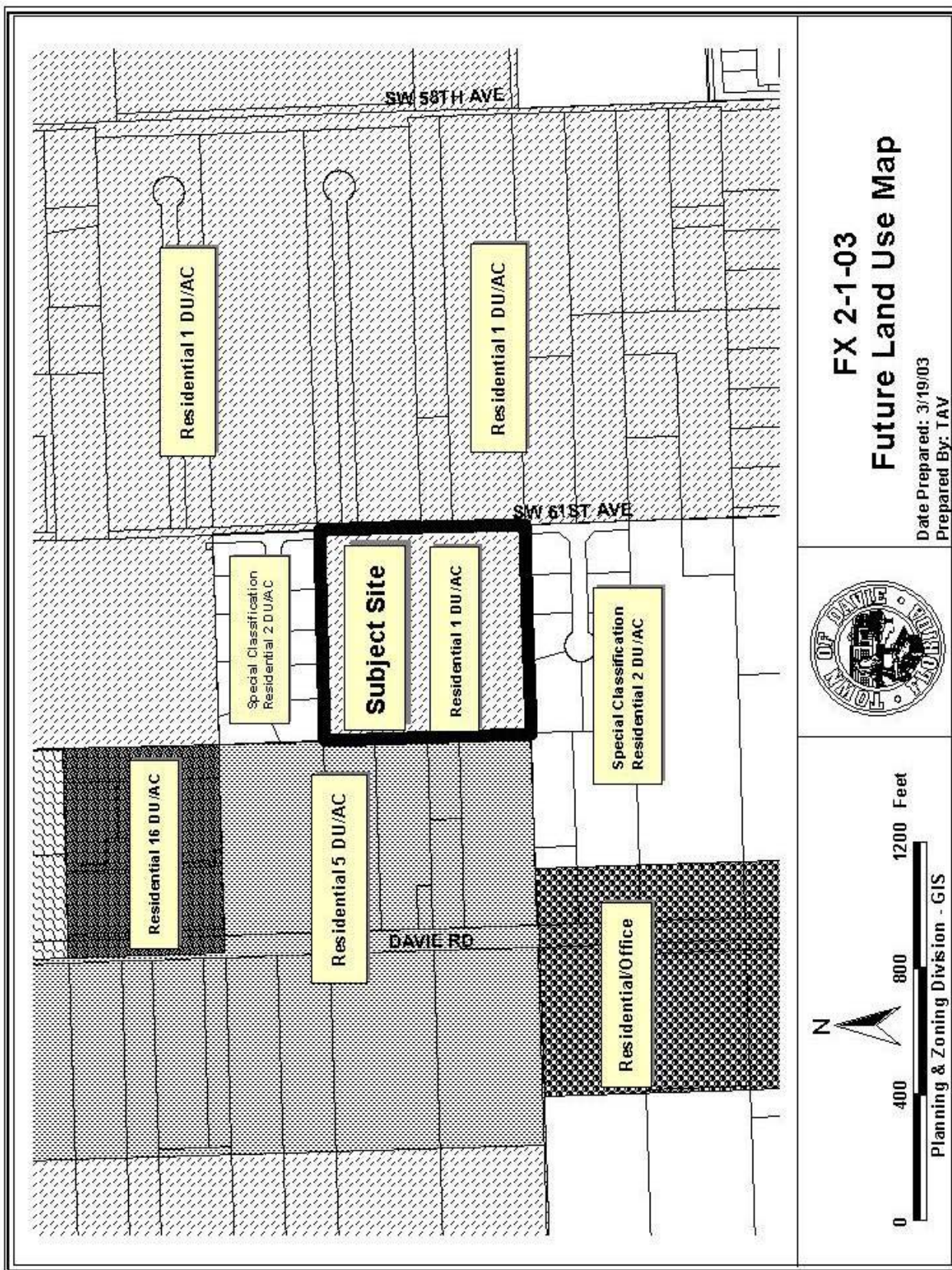
Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Exhibits

1. Future Land Use Map
2. Zoning and Aerial Map

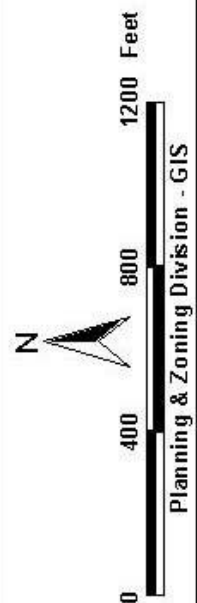
Prepared by: _____

Reviewed by: _____



FX 2-1-03 Future Land Use Map

Date Prepared: 3/19/03
Prepared By: TAV





Date Flown:
12/31/00



0 400 800 1200 Feet

Planning & Zoning Division - GIS



FX 2-1-03

Subject Site, Zoning and Aerial Map

Date Prepared: 3/19/03
Prepared By: TAV